

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

RUBLOFF DEVELOPMENT GROUP,)
INC., RUBLOFF MUNDELEIN LLC,)
MCVICKERS DEVELOPMENT LLC,)
MCVICKERS NEW LENOX LLC,)
MCVICKERS COOPER, LLC,) Case No. 1:10-cv-03917
MCVICKERS HICKORY CREEK, LLC,)
MCVICKERS TONNELL LLC,)
MCVICKERS WILLIAMS LLC,) Hon. Harry D. Leinenweber
)
Plaintiffs,)
)
v.)
)
SUPERVALU, INC., d/b/a JEWEL-OSCO,)
and THE SAINT CONSULTING GROUP,)
INC.,)
)
Defendants.)

**THE SAINT CONSULTING GROUP, INC.'S MOTION FOR LEAVE TO FILE
INSTANTER AN OVERSIZED BRIEF IN EXCESS OF 15 PAGES**

The Saint Consulting Group, Inc. (“Saint Consulting”) respectfully moves this Court for an order granting it leave to file *instanter* its 25-page Memorandum of Law in Support of Saint Consulting Group, Inc.’s Motion to Dismiss (“Memorandum”), a copy of which is attached hereto as Exhibit A. In support of its motion, defendant states as follows:

1. On July 2, 2010, Saint Consulting was served with an Amended Complaint (“Amended Complaint”) asserting claims for declaratory relief (Count I), negligent spoliation of evidence (Count II), and injunctive relief (Count III). The claims arise out of a complicated factual history involving public opposition to the construction of two shopping center developments in Mundelein and New Lenox, Illinois, as expressed at a number of Plan Commission and Board of Trustee meetings in those villages. It also arises out of litigation in the Lake County, Illinois Circuit Court regarding the Mundelein development.

2. In addition to arguments regarding lack of ripeness, a lack of standing, and other pleading deficiencies, Saint Consulting's Motion to Dismiss argues for dismissal of plaintiffs' claims because they abridge Saint Consulting's First Amendment rights. These arguments are based on the Illinois Citizenship Participation Act, 735 ILCS 110/1 *et seq.*, and the *Noerr-Pennington* doctrine. Given the complexity of the factual and legal issues involved in this case, Saint Consulting requires an additional 10-pages above the 15-page limit set by Local Rule 7.1.

3. Saint Consulting believes that the additional analysis and explanation in the extra pages of its Memorandum will be of benefit to the Court in considering Saint Consulting's Motion to Dismiss.

4. In preparing its Memorandum, Saint Consulting has made a good-faith effort to avoid duplicative and unnecessary arguments.

WHEREFORE, for the foregoing reasons, Defendant Saint respectfully requests that this Court enter an order granting them leave to file the attached memorandum of law in excess of fifteen pages *instanter*.

Date: July 23, 2010

Respectfully submitted,

The Saint Consulting Group, Inc.

By: /s/ Craig A. Knot
Craig A. Knot

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CERTIFICATE OF SERVICE

I, Craig A. Knot, one of the attorneys for Defendant Saint Consulting Group, Inc., certify that on July 23, 2010, I caused a copy of the foregoing **THE SAINT CONSULTING GROUP, INC.'S MOTION FOR LEAVE TO FILE INSTANTER AN OVERSIZED BRIEF IN EXCESS OF 15 PAGES** to be filed electronically with the Clerk of Court to be served by operation of the Court's electronic filing system to all counsel of record.

/s/ Craig A. Knot

Craig A. Knot